

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ZHIJUN XIA,

Defendant.

4:20CR3062

ORDER

The parties have now resolved the issues related to suppression of evidence. The case needs to be set for trial. Due to the pandemic, trials will not be held in the Nebraska federal court during the month of January 2021 and perhaps for some time thereafter, depending on the ongoing incidence of infection and the rate of vaccinating the public. In addition, an interpreter will need to be scheduled and must travel to the district for trial, with such travel also potentially impacted by the pandemic. Accordingly,

- 1) The trial of this case is set to commence before the Honorable John M. Gerrard, Chief United States District Judge, in Courtroom 1, 100 Centennial Mall North, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on March 1, 2021, or as soon thereafter as the case may be called, for a duration of three (3) trial days. Jury selection will be held at commencement of trial.
- 2) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and the time between the resolution of the motion to suppress, December 21, 2020 and March 1, 2021, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed for public safety reasons and to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's

local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 4th day of January, 2021.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge